

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ESTATE OF :
ROGER D. OWENSBY JR., ET AL., :
: Case No. 01-CV-769
Plaintiff, : Senior Judge S. Arthur Spiegel
v. :
CITY OF CINCINNATI, ET AL., :
: Defendants. :
:

DECLARATION OF PAUL B. MARTINS

1. I, Paul B. Martins, am trial counsel for the Plaintiff in the above-captioned action.
2. The letter attached as Exhibit A is a true and accurate copy of a letter that I wrote and sent to counsel for Defendant City of Cincinnati on November 7, 2003, because Plaintiff had not received any response to Plaintiff's Second Request for Production of Documents. As of today, the City still has not responded to Plaintiff's Second Request for Production of Documents.
3. The letter attached as Exhibit B is a true and accurate copy of a letter that I wrote and sent to counsel for Defendant City of Cincinnati on December 2, 2003, because Plaintiff had not received any response to Plaintiff's Fourth Request for Production of Documents. As of today, the City still has not responded to Plaintiff's Fourth Request for Production of Documents.

4. The letter attached as Exhibit C is a true and accurate copy of a letter that I wrote and sent to counsel for Defendant City of Cincinnati on December 10, 2003, because Plaintiff had not received any response to Plaintiff's Fifth Request for Production of Documents. As of today, the City still has not responded to Plaintiff's Fifth Request for Production of Documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 11th day of December, 2003.

/s/ Paul B. Martins